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FORM PTO-1390 (Modified) (REV 5-93) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>017227/0156</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/508,054</b>
INTERNATIONAL APPLICATION NO. <b>PCT/AU98/00724</b>	INTERNATIONAL FILING DATE <b>September 4, 1998</b>	PRIORITY DATE CLAIMED <b>September 8, 1997</b>
TITLE OF INVENTION <b>TREATMENT OF OBESITY</b>		
APPLICANT(S) FOR DO/EO/US <b>Frank Man-Woon NG and Woei-Jia JIANG</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).  <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).  <input type="checkbox"/> has been transmitted by the International Bureau.  <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))  <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).  <input type="checkbox"/> have been transmitted by the International Bureau.  <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.  <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11. to 16. below concern other document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.  <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.  <b>65.00 US</b></p> <p>16. <input checked="" type="checkbox"/> Other items or information: <b>Submission of Small Entity Declarations and Request for Refund</b></p>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50 APPL_NO1		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER 017227/0156	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO ..... \$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$690.00 Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$96.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(e))				\$130.00	
Claims	Number Filed	Included in Basic Fee	Extra Claims	Rate	
Total Claims	-	20	= 0	×	\$18.00
Independent Claims	-	3	= 0	×	\$78.00
Multiple dependent claim(s) (if applicable)				\$260.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
Reduction by ½ for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$65.00	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =				\$65.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$65.00	
				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$65.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Foley & Lardner Washington Harbour 3000 K Street, N.W., Suite 500 Washington, D.C. 20007-5109			SIGNATURE  NAME STEPHEN A. BENT		
REGISTRATION NUMBER 29,768					

42-00060 PGT/ATG 20 APR 2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Frank Man-Woon NG et al.

## Title: TREATMENT OF OBESITY

Prior Appl. No.: 09/508,054

Prior Appl. Filing Date: 04/20/2000

Examiner: Unassigned

Art Unit: Unassigned

## **SUBMISSION OF SMALL ENTITY DECLARATIONS**

**AND REQUEST FOR REFUND**

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

Sir:

Submitted herewith are verified statements claiming small entity status in connection with the subject application.

The first fee in this application was paid on March 8, 2000 in the amount of \$1,126.00 established for a non-small entity. Therefore, Applicants' are entitled to a 50% refund of said fee, consistent with the Notice of the Acting Commissioner of Patents and Trademarks of February 15, 1983 1027 OG 115.

Therefore, the Patent and Trademark Office is requested to make a refund in the form of a check in the amount of \$563.00 forwarded to the undersigned at the address indicated below.

This paper is being submitted in duplicate for the convenience of the Finance  
Branch.

Respectfully submitted,

By S. A. Bent

Stephen A. Bent  
Attorney for Applicant  
Registration No. 29,768

Date April 20, 2000

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